

Application No. 10/027,814
 Attorney Docket: 27006-0002
 Reply to Office Action of June 21, 2006

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REMARKS

In the Office Action dated June 21, 2006, the Examiner: (a) rejects Claims 2-4, 10, 11, 14, 15, and 17-21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,294,333, (b) rejects Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,294,333, and (c) objects to Claims 6-9 as being dependent upon a rejected base claim but would otherwise be allowable if rewritten in independent form.

Applicant respectfully points out to the Examiner that the disposition of Claim 16 has not been communicated to the Applicant. Claim 16 is the only independent claim currently presented, yet not disposed of the "Office Action Summary" nor the "Detailed Action". Notwithstanding the Examiner has not communicated the disposition of Claim 16 to Applicant, Applicant respectfully traverses these objections.

The Examiner indicates that the '333 patent shows an oil pan having reinforcement channels 16 running continuously from an area adjacent a first end to an area adjacent a second end wherein the channels are U-shaped and the ends of the oil pan are vertically oriented and planar. Applicant respectfully points out to the Examiner that the '333 patent does not include each and every limitation found in the independent Claim 16 from which all of the rejected claims depend.

More specifically, the '333 patent does not include the following limitations contained in Claim 16: (1) "channels continuously extending from adjacent a first end of the oil pan to adjacent a second end of the oil pan", (2) "the channels extending downwardly from the first end and the second end", (2) "the channels extending downwardly from the first end wall and the second end wall towards an accumulation area", and (3) "the channel sides along the base are of a height which is less than their height in the region of reduced height".

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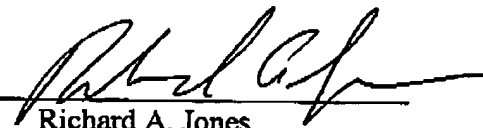
Figures 1 and 2 of the '333 patent show channels 16 which are transverse (see left and right sides of Figure 1) and as such, cannot be expressly or inherently "continuous". Figure 1 only shows the channels 16 extending from the right side of Figure 1 and as such, cannot be expressly or inherently: (i) "downwardly from the first end and the second end", nor (ii) "downwardly from the first end wall and the second end wall towards an accumulation area". Last, Figures 1 and 2 do not show, nor does the specification disclose, the channels 16 having sides with varying heights.

In view of the above remarks, Applicant respectfully submits that all of the pending claims are in a condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at (248) 433-7285.

Prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,

Date: 9/20/06

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Enclosures

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